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BY ECF

Honorable Steven M. Gold
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Allstate Insurance Company, et al., v. 21st Century Pharmacy, Inc., et al., Index No. 17-cv-03731; Response to Motion to Compel

Dear Judge Gold:

We write on behalf of third parties New Business Resources Group, Inc., BK Global, Inc., Anturio Marketing, Inc., Tar Group, Inc., TBM Solution, Inc., NY Collections Services, Inc., A&P Holding Group Corp., K&L Consultants, Inc., P&K Marketing Services, Inc., AAA Wholesale, Inc., and ABE Acq, LLC, (“GTPC Parties”) in response to Plaintiffs’ motion to compel responses to subpoenas.

As an initial matter, the GTPC Parties contacted Plaintiffs’ counsel via electronic mail shortly after Plaintiffs filed their motion to compel in an attempt to resolve this dispute without Court intervention. Counsel for GTPC Defendants never received a response.

As an initial matter, counsel for the GTPC Parties acknowledges that communications with Plaintiffs’ counsel have been delayed. However, this delay is due in large part to the undersigned attorney’s continued family leave absence from the office since March due to the birth of his son. The undersigned, who is the attorney assigned to this matter, intends to return to full-time work beginning in June. Counsel has communicated this to Plaintiffs’ counsel in order to explain its delays in responding. This has been compounded by medical emergencies in the family of Gary Tsirelman, Esq., in April, limiting his ability to fully respond to Plaintiffs’ inquiries. Absent such complications, it is likely that the parties would have been able to resolve this without Court intervention.

The GTPC Parties have fully responded to Plaintiffs’ subpoenas. To the extent that the GTPC Parties interposed any objections to Plaintiffs’ demands, the

GTPC Parties responded over the objections and have not withheld any documents based on any objection. Additionally, although the responses indicated that the GTPC Parties would make documents available for inspection, the GTPC Parties have informed Plaintiffs' counsel that they do not require that Plaintiffs inspect documents and that all documents responsive to Plaintiffs' demands have been transferred to Plaintiffs' counsel via electronic mail. In sum, the GTPC Parties have not withheld any documents responsive to Plaintiffs' subpoenas on any basis.

In order to efficiently resolve this matter, the GTPC Parties are willing to supplement their response to assure Plaintiffs that searches for responsive documents have been conducted and whether additional responsive documents existed in the past but have since been lost or destroyed. The GTPC Parties are also willing to indicate if any other persons may have documents responsive to Plaintiffs' demands, although any such persons are likely already named Defendants to this action or have received third party subpoenas, such as any financial accounts in Defendants' names. The GTPC parties request that they be given until the end of June to provide any such supplementation because the undersigned will not be back to work full time until June 4, 2018.

The GTPC parties hope that this resolves the instant dispute and look forward to discussing the matter further with Plaintiffs.

Thank you for your consideration of this letter.

Cc: All Counsel via ECF

Respectfully,

/s/ _____

Nicholas Bowers, Esq.

Counsel for Parties Named Herein

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